PLUMBING MANUFACTURERS INTERNATIONAL

February 13, 2014

California Energy Commission
Dockets Office, MS-4
Re: Docket No. 12-AAER-2
1516 Ninth Street
Sacramento, CA 95814-5512
docket@energy.ca.gov

Re: PMI Issues - CEC Docket No. 12-AAER-2C

Harinder,

Thanks again for the discussion you, Jerry Desmond, and I had the other day regarding the provisions and objectives of CEC Docket No. 13-AAER-1. As you noted, the proceeding is for technical, nonsubstantive 2014 appliance efficiency revisions that were scheduled to be considered on February 12 and include the Table H-1 and Table I that have maximum flow rates that parallel existing federal standards.

This is a separate proceeding than the substantive pre-rule-making on the appliance efficiency regulations [Docket #12-AAER -2C] in which PMI and the member companies have been engaged and submitted formal comments as well. This docket specifically relates to water appliances: faucets, toilets, urinals, and water meters.

PMI acknowledges and appreciates the ultimate goal of this rulemaking – as set forth in the Order Instituting the Rulemaking Proceeding – to reduce excessive energy and water consumption by regulated appliances in the state.

We have confirmed that PMI is interested in engaging to address issues of concern in this water appliance proceeding, prior to the CEC moving forward with the inception of the formal rulemaking process.

If there is time on your schedule for a meeting and/or teleconference, that would be much-appreciated.

In advance of that discussion, and to facilitate our conversation, the PMI issues and concerns are those that have been raised by PMI in the CEC webinar as well as the PMI comment letters of July 26 and October 13 [both are attached here].

In summary the concerns include:

- PMI proposes that the water efficiency levels in AB715, SB 407 and CALGreen be incorporated into the CEC Title 20 requirements as these pending new levels

have been comprehensively analyzed, scrutinized and vetted by regulators and industry during the last two years. The levels can be summarized as follows:

- Water Closets – 1.28 gpf
- Water Closets (dual flush, performance equal to the average of 1 large and 2 small flushes) – 1.28 gpf
- Urinals – 0.5 gpf

- Since AB 715 allowed a three year period to phase in the requirements of HETs and HEUs, we would need a minimum of two years to phase in the below requirements for faucets in the state of California to accommodate the existing inventory and have compliant products available:
  - Residential Lavatory Faucets – 1.5 gpm at 60 psi
  - Public Lavatory Faucets – 0.5 gpm at 60 psi
  - Metered Public Lavatory Faucets – 0.2 gal/cycle
  - Kitchen Faucet – 1.8 gpm at 60 psi / optional momentary flow - 2.2 gpm at 60 psi

- The Investor Owned Utility (IOU) comments note flush volumes for trough-type urinals. There is no flush mechanism for trough-type urinals. Trough-type urinals are operated by a continuous flow (as prescribed by DOE regulation) of water during events at stadiums and concerts and do not have a flush device.

- The IOU's had proposed different consumption rates for wall-mounted (0.125 gpf max) and floor-mounted urinals (0.5 gpf max). PMI would like to stress the point that the CEC should maintain the specifications in CALGreen and AB715 which has one urinal category at 0.5 gallons per flush. Also, the US EPA WaterSense labeling program for urinals sets the efficiency level at ≤ 0.5 gpf for this voluntary, performance-based third-party certification program. The 0.5 gpf level is the benchmark for this voluntary water efficiency program and is available in a variety of design choices in wall and floor mount configurations.

- The IOU comments propose a 1.0 gallon per minute flow rate for lavatory faucets, this is contrary to the current CALGreen code levels which went into effect on January 1, 2011 and the levels in WaterSense which set flow rates at 1.5 gpm. This proposal has no supporting technical justification or economic impact and only rationalizes itself in terms of water, energy and carbon savings. There is no supporting research to look at the unintended consequences and impact on health, safety or sanitation.

- The IOU proposal incorrectly cites the PERC Phase I report which notes in the final report: "Due to the inherent variability with this test plan and considering the fact that the Delta values are tightly grouped within the significant and non-significant test variables, the PERC TC urges caution against basing any plumbing system design decisions on the discrete rankings among those factors, pending further study."

- Wash fountains should be defined as plumbing fixtures to be consistent with Model and State plumbing and building codes and industry standards; however, wash fountains are currently defined as plumbing fittings and water consumption requirements are located in the "Plumbing Fittings" sections of the document.

Wash fountains have both water supply and waste drainage and are therefore plumbing fixtures by definition.

- Remove wash fountains from Table H-1 and move them to Table I. Wash fountains should be listed as plumbing fixtures.

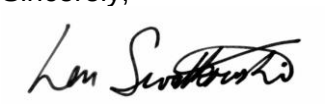
- Add "Electronic wash fountains" to Table I with a maximum water consumption of 0.4 gpm (gallons per minute) per 20 inches of rim space.

- The flow rate for metering wash fountains should be 0.25 gpc (gallons per cycle) per 20 inches of rim space to be in agreement with metering faucets. The current requirement is 0.25 gpm

We look forward to the opportunity to discuss these and other issues related to the proceeding – including those of interest to you and the CEC – at your convenience.

Our partnership with the regulatory and stakeholder communities in the State of California will continue to promote water efficiency that will produce safe, sanitary, efficient and reliable products.

Sincerely,



Len Swatkowski
Technical Director
Plumbing Manufacturers International
1921 Rohlwing Road – Unit G
Rolling Meadows, IL 60008
lswatkowski@pmihome.org

cc: Tuan Ngo, CEC
Barbara Higgens, PMI, Executive Director
Jerry Desmond, Jr., PMI California Advocate

PMI MEMBERS INCLUDE:
American Standard Brands, Inc. * Bradley Corporation * BrassCraft Mfg. Co. * Chase Brass & Copper Company * CSA International * Delta Faucet Company * Dornbracht Americas * Duravit USA * Fisher Manufacturing Company * Fluidmaster, Inc. * Hansgrohe, Inc. * HOLDRITE * InSinkErator * International Association of Plumbing and Mechanical Officials * International Code Council Evaluation Service * Kohler Company * KWC America, Inc. * Lavelle Industries * LSP Products * Moen Incorporated * Mueller Brass Company * NEOPERL, Inc. * NSF International * Pfister * Reed Construction Data * Sloan Valve Company * Speakman Company * Symmons Industries Inc. * T & S Brass and Bronze Works, Inc. * TOTO USA * VitrA USA * Water Pik * WCM Industries, Inc.